

75-CR-103

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs.	<i>For U. S.:</i> Nathan G. Graham Kenneth P. Snoke Asst. U.S. Attorney
closed -- 1. Larry Eugene GAMBLE, closed - 2. Thomas Elmer BROADDRICK, closed - 3. Jimmy Joe MITCHELL, closed - 4. Rita Leslie GIPSON, closed - 5. Ernie Lee Spears, closed - 6. Robin Dennis SCHUBERT, closed - 7. Pamela Ann Peterson closed - 8. Ray R. WALLACE,	<i>For Defendant:</i>
Defendants.	

DATE	PROCEEDINGS
6-17-75	Indictment, filed in Open Court. v
6-17-75	Record vote of the Grand Jury, filed in Open Court. v
6-23-75	Case set for arraignment for 10 a.m., Friday, 6/27/75. (HDC-J)rm-notices
6-23-75	Appearance Bond of Deft. <u>Jimmy Joe Mitchell</u> in the amount of \$5,000.00 Surety, filed with Order Specifying Methods & Conditions of Release. (CSB-USMag)mm
6-23-75	Appearance Bond of Deft. <u>Pam Petersen</u> in the amount of \$2,500.00 suret filed W/Order Specifying Methods & Conditions of Release. (CSB-USmag)r
6-23-75	Appearance Bond of Deft. <u>Robin Dennis Schubert</u> in the amount of \$5,000 surety, filed W/Order Specifying Methods and Conditions of Release. (CSB-US Mag)mm
6-23-75	Appearance Bond of Deft. <u>Ernie Lee Spears</u> in the amount of \$5,000, cash surety, filed W/Order Specifying Methods & Conditions of Release. (CSB-USMag)mm

(over)

(over)

DATE	PROCEEDINGS
6-23-75	Appearance Bond of Deft. <u>Rita Leslie Gipson</u> in the amount of \$2,500.00, personal filed W/Order Specifying Methods & Conditions of Release. (CSB-USMag)mm
6-23-75	Appearance Bond of Deft. <u>Elmer Broadderick</u> in the amount of \$5,000.00, surety, filed W/Order Specifying Methods & Conditions of Release. (CSB-USMag)mm
6-23-75	Appearance Bond of Det. <u>Larry Eugene Gamble</u> in the amount of \$5,000.00, surety, filed W/Order Specifying Methods & Conditions of Release. (CSB-USMag)mm
6-23-75	Appearance Bond for def., <u>Ray R. Wallace</u> in amt. of \$5,000 (surety), filed, w/conditions. (JMB-Mag.)rm
6-23-75	Warrant for Arrest, rest. & filed: deft. <u>Jimmy Joe Mitchell</u> arrested 6-23-75, taken before Mag. Bradford & released on bond. g
6-25-75	MO: Case set for arraignment as to def. <u>Wallace</u> for 10 a.m., Monday, 6/30/75. (HDC-J)rm - parties notified by phone & notices md.
6-26-75	Warrant for Arrest ret. & filed: deft. <u>Ray R. Wallace</u> was arrested in Shreveport La on 6-19-75 and released on \$5,000 surety bond by U.S. Mag. Barton.jj
6-27-75	Case called for arraignment as to defs., <u>Gamble, Broaddrick, Mitchell, Spears, Gipson, Schubert & Peterson</u> . Arraignment as to def. <u>Gipson</u> passed to 10:00 a.m. Monday, 6/30/75. Gordon Patton withdraws as counsel for Schubert & Tom Hanlon makes appearance as counsel for Schubert; Jim Feamster appearing for John Tanner, for def. <u>Spears</u> . Ct. orders instanter name correction for def. Peterson to "Pamela Ann Peterson". Defs. all ack. receipt of indictment; advised of charge and arraigned. Defs. <u>Gamble, Broaddrick, Mitchell, Spears, Schubert and Peterson</u> enter pleas of NOT GUILTY, as to Cts. 1, 2, & 3, and given to 7/10/75 to file motions; govt. 5 days to respond. Case set for jury trial as to each def. for 8/5/75. All defs. to remain on present bonds. (HDC-J)rm
6-27-75	MO: Case set for arraignment as to def. <u>Rita Leslie Gipson</u> for 10 a.m. 6/30/75. (HDC-J)rm
6-30-75	Case called for arraignment as to defts. <u>Wallace and Gipson</u> . Defts. each present and represented; govt. represented. Defts. each acknowledge receipt of indictment, arraigned and deft. <u>Wallace</u> enters plea of NOT GUILTY as to Ct. 1 and deft. <u>Gipson</u> enters plea of NOT GUILTY as to Cts. 1, 2 & 3. Defts. given until 7-10-75 to file motions; govt. 5 days thereafter to respond. Case set for jury trial 8-5-75 at 10:00 a.m. Defts. each allowed to stand on present bond. (HDC-J)hm
7-7-75	MO: Case set for change of plea as to deft. <u>Rita Leslie Gipson</u> on 7-14-75 at 1:30 p.m. (HDC-J)hm
7-8-75	Applic. for order permitting deft. <u>Gamble</u> to leave the USDC for NDO, filed. hm
7-8-75	Order, filed, permitting deft. <u>Gamble</u> to travel to Anderson, Ind. and return on/before 7-15-75. (HDC-J)g

(CONTINUED)

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Attorneys For
Defendants

Continued
From Page 1

Mitchell *Box 303, Siloam Spd.*
~~3656 S. 106th E. Ave. Apt.~~
Tulsa 74129 (663-8719)

Gamble
5935 E. Marshal Pl.
Tulsa 74115 (no ph.)

Broaddrick
2006 N. Joplin *apt*
Tulsa 74115 (838-7052)

Gipson
5717 E. Tecumseh

Spears
5976 E. Latimer Pla.
Tulsa 74115 (835-5727)

Schubert *513 E. Tecumseh*
~~5905 E. Tecumseh~~ *Tulsa*
Tulsa (no phone) *(per mother)*

Peterson
107 N. 5th St.
Collinsville

Wallace *et al only*
1841 Texas Ave.
Shreveport, La. 71103

Van Raulston (bondsman)
(for Mitchell)
624 S. Denver, Rm. 208

Pete King
215 W. 5th
Tulsa 74103

Peerless Ins.
624 S. Denver

(O/R bond)

Intl. Fidelity Ins.
215 W. 5th
Tulsa 74103 (583-7774)

Peerless Ins.
624 S. Denver

Peerless Ins. Co.
812 Milam St., P.O. Box 818/P.O. Box 53567
Shreveport, La. 71162

James Fransein (ret-Mitchell)
4th Natl. Bldg., Tulsa *74119*
684-1338

583-
Gordon Patton (ret-Gamble)
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Tulsa 587-2166 *74103*

John Harris (ret-Broaddrick)
1635 E. -15 (583-7541)
Pat Williams *(Rt)* 583-1338
4th Natl. Bldg., Tulsa 7411

Larry Oliver (ct. appt-Gipson)
4th Natl. Bldg (585-8181)

John Tanner (ret.-Spears)
4th Natl. Bldg. (582-4161)

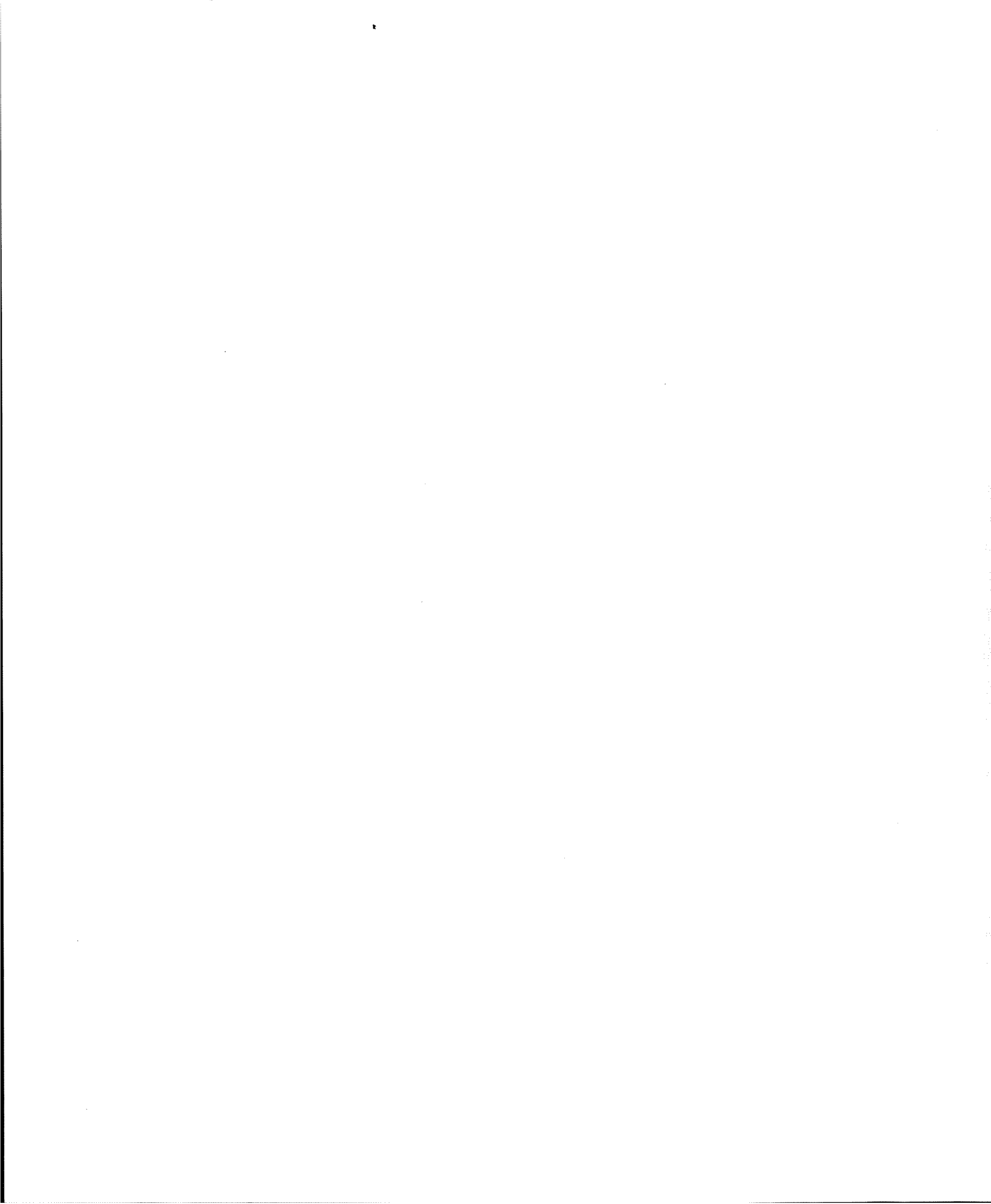
Tom Hanlon (ret.-Schuber)
Pythian Bldg.
583-6664

Paul Garrison (Ct. apt.-Pete)
825 Beacon Bldg.
Tulsa 74103
582-8296

(Ret)
Carl Hughes, Gene Stipe
2915 Lincoln Blvd.
Okla. City, Okla. 73105

405-524-2268 *(10 C.)*

423-0421 (McAlister)



UNITED STATES MAGISTRATE
NORTHERN _____ DISTRICT OF _____ OKLAHOMA

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Claudine S. Barnes

(Name of Magistrate)

U. S. Courthouse, Tulsa, Oklahoma

(Address)

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

Magistrate's

Docket No. 75, Case No. 147M

UNITED STATES OF AMERICA

vs.

JIMMY JOE MITCHELL

INDICTMENT - 75-CR-103

U.S.C. T. 18, §371, §2314, §2 and

§ 2313

(Nature of proceeding)

[illegible]

D. C. 109A
CRIMINAL DOCKET

DATE	PROCEEDINGS
7-9-75	Motion to suppress and quash, w/brief, of def. <u>Peterson</u> , filed. rm
7-9-75	Motions of defs., <u>Peterson</u> , <u>Gamble</u> and <u>Schubert</u> , as follows: a) for disclosure of matters occurring before grand jury, w/brief; b) to disclose witnesses of govt. who will appear at trial, w/brief; c) to inspect all evidence favorable to them, w/brief; d) for bill of particulars, w/brief; e) for discovery, w/brief; f) for severance; g) for severance of Ct. 1 from remaining 2 cts; (w/brief in support of motions for severance); h) to adopt all motions made by co-defs. where appl. to them
7-11-75	Motion for Discovery of def. <u>Broadrick</u> , filed. mm
7-11-75	Brief in Support of Motion for Discovery of def. <u>Broadrick</u> , filed. mm
7-11-75	Motion for Disclosure of Matters Occurring Before the Grand Jury of def. <u>Broadrick</u> , filed. mm
7-11-75	Brief in Support of Motion for Disclosure of Grand Jury Minutes and Production of Evidence of def. <u>Broadrick</u> , filed. mm
7-11-75	Motion for Severance of def. <u>Broadrick</u> , filed. mm
7-11-75	Motion for Severance of Count I of the Indictment from the Remaining two Counts by def. <u>Broadrick</u> , filed. mm
7-11-75	Brief in Support of Motion for Severance & Motion for Severance of Count I from the other counts of the Indictment, of def. <u>Broadrick</u> , filed. mm
7-11-75	Motion to Disclose Witnesses of the Government who will appear at the time of Trial of def. <u>Broadrick</u> , filed. mm
7-11-75	Brief in Support of Motion for Disclosure of Witnesses of def. <u>Broadrick</u> , filed. mm
7-11-75	Motion of Defendant to Inspect all Evidence Favorable to Him of def. <u>Broadrick</u> , filed. mm
7-11-75	Memorandum in Support of Motion of Defendant to Inspect all Evidence Favorable to Him of def. <u>Broadrick</u> , filed. mm
7-11-75	Motion for Bill of Particulars of def. <u>Broadrick</u> , filed. mm
7-11-75	Memorandum in Support of Defendant's Motion for Bill of Particulars, of def. <u>Broadrick</u> , filed. mm
7-11-75	Case set for hearing on all pending motions of defts. <u>Peterson</u> , <u>Gamble</u> , <u>Schubert</u> , <u>Broadrick</u> and <u>Wallace</u> on 7-17-75 at 10:00 a.m. (HDC-J)hm
7-11-75	Motion for Severance and Transfer of def. <u>Ray R. Wallace</u> , filed. lm
7-11-75	Motion for disclosure of exculpatory material and information of def. <u>Ray R. Wallace</u> , filed. lm

DATE	PROCEEDINGS
7-11-75	Brief in support of deft's motion for disclosure of exculpatory material and information, filed. lm
7-11-75	MOTION of deft <u>Ray R. Wallace</u> for discovery and inspection, filed. lm
7-11-75	BRIEF in support of Motion for Discovery and Inspection, filed. lm
7-11-75	MOTION of deft <u>Ray R. Wallace</u> for Bill of Particulars, filed. lm
7-11-75	BRIEF in support of Bill of Particulars, filed. lm
7-11-75	MOTION of deft. <u>Ray R. Wallace</u> to permit inspection of Grand Jury Minutes and testimony of Witnesses, filed. lm
7-11-75	BRIEF in support of motion to permit inspection of Grand Jury Minutes and transcript and testimony of witnesses, filed. lm
7-11-75	MEMORANDUM in support of deft's Motion for Severance and transfer, filed. lm
7-14-75	Case called for change of plea as to deft. <u>Rita Leslie Gipson</u> . Deft. present and represented; govt. represented. Deft. acknowledges receipt of indictment, indictment read, deft. waives jury, jury waiver signed and filed in open court, deft. arraigned and withdraws plea of Not Guilty and enters plea of GUILTY as to Cts. 1,2&3. Deft. adjudged GUILTY as charged in Cts. 1, 2&3. Sentence passed, to be set at a later time. Deft. allowed to stand on present bond. (HDC-J)hm
7-15-75	Opposition to motion to suppress, filed. hm (deft. Peterson)
7-15-75	Brief of points & authorities in oppos. to mo/suppress(Peterson), filed. hm
7-15-75	Opposition by USA to pre-trial motions of def. <u>Peterson</u> , w/brief, filed. rm
7-15-75	Opposition by USA to pre-trial motions of def. <u>Broadrick</u> , w/brief, filed. rm
7-15-75	Opposition to pre-trial motions by USA, re def. <u>Gamble</u> , w/brief, filed. rm
7-15-75	Opposition by USA to pre-trial motions of def. <u>WALLACE</u> , filed. rm
7-16-75	Brief of Points and Authorities in Opposition to Pre-Trial Motions of Deft. Wallace filed by USA, filed. mm
7-17-75	<p>Case called for hearing on all pending motions of defts. <u>Peterson</u>, <u>Gamble</u>, <u>Schubert</u>, <u>Broadrick</u> & <u>Wallace</u> & <u>Spears</u>. Said defts. present & represented, with the exception of Wallace, whose atty. waives his presence; other defts. represented; govt. represented. Evid. hearing held on mo/suppress & quash of deft. <u>Peterson</u>. Deft's witnesses sworn: Pamela Ann Peterson. Deft. rests. Govt's witnesses sworn: Officer Edwards. Govt. rests. Parties rest. Mo/suppress & quash <u>overruled</u>. The following motions of defts. <u>Peterson</u>, <u>Gamble</u>, <u>Schubert</u>, <u>Broadrick</u> & <u>Spears</u> <u>overruled</u>: Mo/disclosure of matters occurring before Grand Jury; mo/disclose witnesses of govt. who will appear at time of trial; mo/bill of particulars. The following motions of defts. <u>Peterson</u>, <u>Gamble</u>, <u>Schubert</u>, <u>Broadrick</u> & <u>Spears</u> moot: mo/inspect all evidence favorable to deft; mo/discovery; mo/adopt. The following motions of defts. <u>Peterson</u>, <u>Gamble</u>, <u>Schubert</u>, <u>Broadrick</u> & <u>Spears</u> taken under advisement: mo/severance and mo/severance of Ct. 1 of Indictment from remaining two Counts. Mo/severance & transfer of deft. <u>Wallace</u> <u>overruled</u>. The following motions of deft. <u>Wallace</u> taken under advisement: Mo/disclosure of exculpatory material & info.; mo/discovery & inspection; mo/bill of particulars; mo/permit inspection of grand jury minutes & test. of witnesses. Govt. to prepare order. (HDC-J)hm</p> <p>Deft. <u>Spears</u> asks & granted leave to adopt all motions filed by other defts. (HDC-J)hm</p>

(Cont)

D. C. 100A
CRIMINAL DOCKET

SHEET NO. 3

DATE	PROCEEDINGS
7-18-75	Order, filed, overruling motion of deft. <u>Peterson</u> to suppress and quash. (HDC-J)hm (copies mailed)
7-18-75	Order, filed, overruling deft. <u>Wallace's</u> mo/severance & transfer & taking other pending motions of said deft. under advisement. (HDC-J)hm (copies mailed)
7-18-75	Order, filed, that motions of defts. <u>Peterson, Schubert, Broadrick, Gamble & Spears</u> for disclosure of matters occurring before the Grand Jury, motions disclosing govt. witnesses & motions for bills of particulars are each overruled; that said defts' motions for severance are taken under advisement. (HDC-J)hm (copies mailed)
7-18-75	Order, filed, that motions of defts. <u>Peterson, Gamble, Schubert, Broadrick & Spears</u> for severance are denied. (HDC-J)hm (copies mailed)
7-18-75	Order, filed, overruling motions of deft. <u>Wallace</u> for disclosure of exculpatory material & information, motion for bill of particulars, motion to permit inspection of Grand Jury minutes and testimony of witnesses, and portions of mo/discovery & inspection declared moot and portions overruled. (HDC-J)hm (copies mailed)
7-25-75	Motion of USA for order directing defts. to furnish handwriting exemplars, filed. g
7-25-75	Brief in support of mot. for Order directing defts. to furnish handwriting exemplars, filed. g
7-29-75	Mo: It is ordered by the Court that the defendants Larry Eugene Gamble, Robin Dennis Schubert, Ernie Lee Spears, and Ray R. Wallace file a responsive brief by August 4, 1975 to the Motion for Order Directing Defendants to Furnish Handwriting Exemplars. (HDC-J) mm cps mld
8-1-75	Objection of deft. <u>Ray R. Wallace</u> to mot. for order directing defts. to furnish handwriting exemplars, filed. g
8-1-75	Brief in support of Wallace's obj. to mot. re handwriting exemplars, filed. g
8-5-75	Order, filed, sustaining plaintiff's motion and directing defendant Ray R. Wallace to furnish the requested handwriting exemplar to the plaintiff. (HDC-J)g cpies mailed.
8-5-75	Case called for jury trial as to defts. Gamble, Broadrick, Mitchell, Spears, Schubert, Peterson & Wallace. Defts. each present except deft. Wallace. Defts. each represented; govt. represented. Counsel for deft. Wallace states he is in hospital. Parties announce ready for trial except for deft. Wallace. Govt. to prepare stipulation in writing & supply to deft. counsel, then submit to Court. Deft. Schubert requests permission to file motion to suppress certain exhibits. Motion to be submitted to Court for determination. Pretrial hearing to be set prior to trial. Parties to be notified of setting of pretrial and case passed to 8-7-75 at 9:30 a.m. (HDC-J)hm
8-7-75	Deft. Wallace's Motion for continuance of trial, filed.k
8-7-75	Case called for jury trial. Defts. each present, except for deft. Wallace; defts. represented; govt. represented. Deft. Wallace, w/agreement of govt. and defense counsel, except for deft. Schubert, moves for continuance, because of illness of deft. Case continued to 8-19-75 at 10:00 a.m., subject to condition of deft. Wallace. Pretrial conference set at 10:00 a.m.
8-18-75.	Mr. Stipe to keep Court informed of condition of deft. Wallace. (HDC-J)hm

DATE	PROCEEDINGS
8-14-75	Response of USA to motion for continuance of def., Wallace, filed.rm
8-15-75	MO: Ordered by the Court that pre-trial conf. set for 8/18/75 at 10 a.m. and jury trial set for 10 a.m. 8/19/75 are continued and passed as follows: pre-trial is set for 1 p.m. 9/24/75 and case set for jury trial for Monday, September 29, 1975 at 10 a.m.(HDC-J)rm-parties phoned and notices mailed
9-3-75	Exparte Motion to Revoke Bail or in the Alternative to Increase Bail of the Defendants W/Affidavit of Kenneth P. Snoke attached, filed. mm (O to J)
9-3-75	Order, filed, that bail re Defts. <u>Larry Eugene Gamble</u> , <u>Thomas Elmer Broadrick</u> and <u>Ernie Lee Spears</u> is revoked. (HDC-J)v <i>eps mld. for ps 2-8-75 AS 11011</i>
9-4-75	MO: It is ordered by the Court that the U. S. Marshal is directed to apprehend defs., <u>Larry Eugene Gamble</u> , <u>Thomas Elmer Broadrick</u> and <u>Ernie Lee Spears</u> , and to detain said defs. in their custody until further order of the Court. (HDC-J)rm - ltrs. to counsel, and c.c. copies to USM, Probation & bonding cos.
9-8-75	Motion of def. <u>Broadrick</u> for review hearing on bond revocation, filed. rm
9-8-75	MO: Ordered that motion of deft. <u>Broadrick</u> for review hearing on bond revocation is hereby referred to Mag. Bradford for recommendation. (HDC-J)hm
9-9-75	Petition for Writ of Habeas Corpus Ad Prosequendum, filed. Writ Issued. (O to J)
9-9-75	Order Granting Writ of Habeas Corpus ad Prosequendum of <u>Thomas Elmer Broadrick</u> to be delivered to the Magistrate's Court Room, Federal Building, on 9-10-75 at 2:30 PM for Motion for Bond Review Hearing, filed.(HDC-J) mm
9-15-75	MO: Ordered that after the hearing before the Magistrate on the motion for bond review of deft. <u>Broadrick</u> , the bond is hereby set in the amount of \$35,000 cash or surety. (HDC-J)hm (letter written)
9-17-75	Trial Brief of the Plaintiff, USA, filed. mm
9-18-75	MO: Ordered by the Court that the bonds of the defendants <u>Larry Eugene Gamble</u> and <u>Ernie Lee Spears</u> are hereby set in the amount of \$35,000 cash or surety. (HDC-J)hm (letter written defts. & counsel)
9-18-75	Marshals Return on Writ returned & filed by delivering <u>Thomas Elmer Broadrick</u> from Tulsa County Jail to the US Mag. & returning him same day. (9-10-75)mm
9-23-75	Appl. of John D. Harris for permission to withdraw as counsel for def. <u>Broadrick</u> , filed. rm
9-23-75	Motion of deft. <u>Broadrick</u> for the appointment of counsel and motion for bond reduction, filed. hm
9-23-75	Motion of deft. <u>Gamble</u> for bond reduction, filed. hm
9-23-75	Case set for hearing on motions for bond reduction of defts. <u>Broadrick</u> and <u>Gamble</u> and for appointment of counsel for deft. <u>Broadrick</u> 9-24-75 at 2:00 p.m. (HDC-J)hm
9-24-75	Petition for writ of habeas corpus ad prosequendum of deft. <u>Broadrick</u> , filed. hm
9-24-75	Order granting writ of H/C/A/P of deft. <u>Broadrick</u> , filed. (HDC-J)hm
9-24-75	Writ issued for deft. <u>Broadrick</u> . hm

CRIMINAL DOCKET

SHEET NO. 4

DATE	PROCEEDINGS
9-24-75	<p>Pre-trial hearing held. Deft. counsel all present; govt. represented. Mr. Harris's applic. for permission to withdraw as retained counsel for deft. Broadrick granted and Court appoints John D. Harris to represent said deft. Motion for continuance w/medical report of deft. Wallace, filed in open court. Court directs Mr. Wallace's counsel to interview the doctor to obtain more information on condition of said deft. Court holds in abeyance mo/continuance & sets hearing on matter at 2:00 p.m. 9-26-75, unless parties inform Court deft. ready for trial. Parties to submit list of witnesses for trial heretofore set 9-29-75. All defts. except Wallace make stipulations as to certain testimony. Govt. to prepare written statement of stipulations & relevency by 9-26-75 and any other pleadings to be filed by 9-26-75. Deft. Schubert files motion in limine in open court, and it is adopted by all counsel of defts. Deft. Wallace allowed to file mo/in limine by 9-26-75. Motions in limine set for hearing at 9:00 a.m. 9-29-75. (HDC-J)hm</p> <p>Hearing held later on motions to reduce bond of defts. Gamble, Broadrick & Spears. Defts. present and represented; govt. represented. Deft. Spears granted leave to adopt mo/bond reduction. Statements made. Defts' witnesses sworn and testify: Larry Gamble, Thomas Elmer Broadrick; Govt's witness sworn and testifies: Mrs. Francis Schubert. Govt. introduces Ex. #1 & it is admitted into evidence. Bond of deft. <u>Gamble</u> reduced to \$5,000 cash or surety (original bond reinstated), with the condition that the deft. not go around the premises or around any person who is to be a prospective witness in the scheduled trial on 9-29-75. By agreement of parties bond of deft. <u>Spears</u> reduced and reinstated in amt. of \$5,000 cash or surety. Deft. Broadrick's witness Robin Schubert sworn, but testimony not taken until Mr. Hanlon is able to be present to represent said witness. Hearing on mo/reduce bond of deft. Broadrick continued until 9-25-75 if Defts. Gamble and Spears released on reinstated bonds, and deft. Broadrick remanded to custody of U.S. Marshal. (HDC-J)hm</p>
9-24-75	Motion for continuance of deft. <u>Ray R. Wallace</u> , filed in open court. hm
9-24-75	Motion in limine of deft. <u>Robin Dennis Schubert</u> , filed in open court. hm
9-24-75	Order, filed, Specifying Methods & Conditions of Release of <u>Larry Eugene Gamble</u> .mm
9-24-75	Order, filed, Specifying Methods & Conditions of Release of <u>Ernie Lee Spears</u> .mm
9-25-75	Petition for writ of habeas corpus ad prosequendum, re Broadrick, filed.rm
9-25-75	Order granting writ of habeas corpus ad prosequendum, re Broadrick, filed. Writ issued. lm
9-26-75	Mtn. to Suppress filed by all defts.jj
9-26-75	Brief in Support of Defts' Mtn. to Suppress, filed.jj
9-26-75	All Defts' Requested Instructions, filed.jj
9-26-75	Defendant Ray Wallace Motion in Limine, filed.mm
9-26-75	<p>Case called for hearing on deft. Wallace's motion for continuance. Deft. represented; govt. represented. Upon statements of deft. counsel & statements in writing of Doctor, and over objections presented by govt., motion of deft. Wallace for continuance is sustained, and trial is severed as to deft. Wallace. Trial as to said deft. to be set as soon as he is physically able. Court modifies bond conditions of deft. Wallace & directs a report to be made no later than the 28th of each month to the Clerk of the Court as</p>

DATE	PROCEEDINGS
	to the physical condition of the deft. & the opinion of the doctor in charge as to whether deft. is physically able & capable of travelling to and attending the trial in Tulsa, Oklahoma. (HDC-J)hm (letter written)
9-29-75	Opposition of USA to mo/limine, filed. rm
9-29-75	Brief of USA in opposition to mo/suppress vehicle search, filed. rm
9-29-75	Opposition of USA to mo/suppress vehicle search, filed. rm
9-29-75	Government's Proposed Jury Instructions, filed. mm
9-29-75	Case called for hearing on motions and jury trial as to defts. Gamble, Broadrick, Mitchell, Spears, Schubert & Peterson. Defts. present and represented; govt. represented by Ben F. Baker, substituting for Ken Snoke. Pat Williams requests permission to represent deft. Broadrick. Mr. Baker announces Mr. Snoke is ill & requests continuance until 10-1-75. Over no objections from defts., jury trial continued until 10-1-75 at 9:30 a.m. & hearing on pending motions, except for deft. Wallace's motions, set for 9:00 a.m. 10-1-75. Mr. Hughes excused from hearing on 10-1-75. Mr. Williams allowed to represent deft. Broadrick & John Harris allowed to withdraw. Witnesses recognized back for trial on 10-1-75. Defts. <u>Spears</u> and <u>Peterson</u> waive jury. Jury waivers signed and filed in open court as to said defts. Non-jury trial as to <u>Spears & Peterson</u> set 10-28-75 at 10:00 a.m. Jury empaneled and admonished & excused until 9:30 a.m. 10-1-75. (HDC-J)hm (orig. & 1 copy)
9-30-75	Reporter's Transcript of Proceedings had on 9-24-75, PT Conf., filed. 1m
9-30-75	Petition for Writ of Habeas Corpus Ad Prosequendum, filed. mm
9-30-75	Order, filed, G. Leaking Writ of Habeas Corpus Ad Prosequendum. mm (HDC-J) Writ Issued <i>examined</i>
10-2-75	WHCAP as to Elmer Broadrick, ret. & filed: deft. Broadrick delivered to USDC on 9-24-75 and returned to Tulsa County Jail same date. g
10-2-75	WHCAP as to Elmer Broadrick, ret. & filed: deft. Broadrick delivered to USDC on 9-29-75 and returned to Tulsa County Jail same date. g
10-6-75	Case tried to a jury as to defts. <u>Gamble, Broadrick, Mitchell & Schubert</u> , on Oct. 1, 2, 3 & 6. Defts. each present and represented; govt. represented. Parties announce ready. Jury sworn. Rule invoked. Hearing held out of presence of jury on motions. Defts' motion in limine overruled; defts' motion to suppress overruled. En camera hearing held in chambers. Govt's witness sworn and testifies: Rita Leslie Gipson. Witness excused. Court takes under advisement question of whether certain testimony will be allowed during trial. Jury in box and trial continues with pltf's opening statement. Defts. defer same until close of pltf's case. Court rules at bench that test. discussed at en camera hearing will be allowed into evidence w/certain restrictions. Pltf. presents case in chief w/test. of witnesses. Pltf's exhibits admitted. Pltf. rests. Defts' motions for judgment of acquittal taken under advisement. Defts. waive opening statements. Defts. <u>Gamble and Broadrick</u> rest. Defts. <u>Mitchell & Schubert</u> present case in chief w/test. of witnesses and rest. Parties rest. Out of hearing of jury, arguments made on defts' motions for judgment of acquittal. Motions overruled & jury called back into box. Final arguments made. Instructions given. Bailiffs sworn. Jury retires to deliberate at 2:42 p.m. Alternate jurors excused and discharged. Jury returns w/verdicts at 9:15 p.m. and is discharged at 9:22 p.m. Verdicts ordered received, read & filed in open court. Sentence as to defts. set 11-3-75 at 10:00 a.m. Defts. Gamble, Mitchell & Schubert allowed to remain on present bond. Hearing on deft. Broadrick's request for bond reduction set on 10-10-75 at 2:00 p.m. Court recessed. (HDC-J)hm (continued)

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CRIMINAL DOCKET

DATE	PROCEEDINGS
10-3-75	Stipulation, filed in open court. hm (pltf's ex. #39)
10-3-75	Govt's proposed instructions 9, 10 & 11, filed in open court. hm
10-3-75	Defts' requested instruction, filed in open court. hm
10-6-75	Instructions to the Jury, filed in open court. (HDC-J)hm
10-6-75	Verdicts finding deft. <u>Gamble</u> GUILTY as charged in Cts. 1,2&3, filed in open court. hm
10-6-75	Verdicts finding deft. <u>Broadrick</u> GUILTY as charged in Cts. 1,2&3, filed in open court. hm
10-6-75	Verdicts finding deft. <u>Mitchell</u> NOT GUILTY as charged in Cts. 1&3, and GUILTY as charged in Ct. 2, filed in open court. hm
10-6-75	Verdicts finding deft. <u>Schubert</u> GUILTY as charged in Cts. 1&3, and NOT GUILTY as charged in Ct. 2, filed in open court. hm
10-6-75	Trial exhibits, filed. hm (in suitcase in exhibit room)
10-8-75	Case set for sentence as to deft. <u>Gipson</u> 10-10-75 at 3:00 p.m. (HDC-J)hm
10-9-75	MO: Hearing on deft. Broadrick's reduction of bond stricken from docket of 10-10-75 at request of deft. (HDC-J)hm
10-10-75	Motion for Judgment of Acquittal not withstanding Verdict of the deft. Jimmy Joe Mitchell, filed. mm
10-10-75	Brief in Support of Motion for Judgment of Acquittal not withstanding verdict of deft. JimmyJoe Mitchell, filed. mm
10-10-75	MO: Ordered that the Plaintiff file a responsive brief within 10 days to the Motion for Judgment of Acquittal not withstanding Verdict of the deft. Jimmy Joe Mitchell.(HDC-J) cps mld mm
10-10-75	MO: Case called for sentence as to deft. <u>Rita Leslie Gipson</u> . Deft. present and represented; govt. represented. Deft. & counsel asked if they care to say anything before sentence is pronounced. The Court states that the deft. would not benefit from provisions under YCA. Judgment and Sentence - <u>Rita Leslie Gipson</u> (Age 24) Imp. of sentence suspended and deft. placed on probation as to Cts. 1,2&3 for a period of Five (5) Years from this date, as to each count; said probation imposed in Ct. 2&3 to run concurrently with the probation imposed in Count One. In addition to usual conditions of probation, deft. is not to frequent habitats previously frequented & is to obtain employment and earn a living. (HDC-J)hm
10-10-75	Judgment and Order of probation as to deft. Gipson, filed and entered.(HDC-J)
10-10-75	Two c/c of J&O of Prob. delivered to Probation office. hm
10-17-75	Govt's motion to withdraw exhibits, filed. hm
10-20-75	Order (part of motion), filed, granting govt. permission to withdraw pltf's exhibits 8, 72, 72A & 76, with xerox copies to be substituted. (HDC-J)hm (copies mailed)
10-20-75	MO: Case set for hearing on motion for bond reduction of deft. Broadrick 10-29-75 at 9:00 a.m. (HDC-J)hm (notices mailed)
10-20-75	Opposition to Deft Mitchell's Mtn. for Judg. of Acquittal not Withstanding verdict, filed.jj
10-21-75	MO: Ordered that deft. Gamble is allowed to transport his family from Tulsa to Anderson, Indiana, & to travel no other places, to return no later than 11-2-75. (HDC-J)hm
10-24-75	Order permitting deft. Gamble to leave the USDC for NDO, filed; deft. not to travel other than directly to Anderson, Ind. & direct return. (HDC-J)hm

DATE	PROCEEDINGS
10-28-75	and entered Order, filed, overruling deft. MITCHELL's mot. for judgment of acquittal notwithstanding verdict. (HDC-J)g cpies mld.
10-28-75	MO: Ordered that hearing on deft. Broadrick's motion for bond reduction is continued until 10:00 a.m. 11-3-75, at request of deft. (HDC-J)hm
10-28-75	Case called for non-jury trial as to defts. <u>Spears and Peterson</u> . Defts. each present and represented; govt. represented. Defts. each withdraw pleas of Not Guilty and enter pleas of GUILTY as to Ct. 1. Each deft. previously waived jury & jury waiver filed. Indictment previously received. Indictment read. Defts. each sworn. Defts. each adjudged GUILTY as charged in Ct. 1 Sentence of both defts. set 11-6-75 at 9:30 a.m. Order for dismissal as to Cts. 2&3 signed and filed in open court as to each deft. (HDC-J)hm
10-28-75	Order for dismissal of Cts. 2&3 as to deft. Ernie Lee Spears, signed and filed in open court. (HDC-J)hm
10-28-75	Order for dismissal of Cts. 2&3 as to deft. Pamela Peterson, filed in open court. (HDC-J)hm
10-30	WHCAP as to deft. Thomas Elmer Broadrick, ret. & filed: deft. Broadrick delivered from Tulsa County Jail to USDC and returned him to Tulsa County Jail, all on 10-6-75. g
10-31	MO: Case continued for sentence of defts. Gamble, Broadrick, Mitchell & Schubert and hearing on motion of deft. Broadrick for bond reduction until 11-6-75 at 9:00 a.m. (HDC-J)hm
11-4	Petition for writ of H/C/A/P for deft. Broadrick, filed. hm
11-4	Writ issued. hm
11-4	Order granting writ of HCAP for deft. Broadrick, filed. (HDC-J)hm
11-5	<p>Case called for sentence of defts. <u>Gamble and Schubert</u>. Defts. each present and represented; govt. represented. Defts. & counsel asked if they care to say anything before sentence is pronounced.</p> <p>Judgment and Sentence - LARRY EUGENE GAMBLE - Age 33</p> <p>Ct. 1 - Atty. Gen. - Five (5) Years</p> <p>Ct. 2 - Atty. Gen. - Five (5) Years</p> <p>Ct. 3 - Atty. Gen. - Five (5) Years</p> <p>IT IS ADJUDGED that the sent. imposed in Cts. 2&3 shall run concurrently with the sent. imposed in Ct. 1.</p> <p>Judgment and Sentence - ROBIN DENNIS SCHUBERT - Age 22</p> <p>Ct. 1 - Atty. Gen. - Three (3) Years</p> <p>Ct. 3 - Atty. Gen. - Three (3) Years, to run concurrently with sent. imposed in Ct. 1.</p> <p>Defts. Gamble and Schubert each advised of right to appeal and each gives oral notice of appeal. Appeal bonds on each deft. set at \$5,000 cash or surety. Defts. each remanded to custody of U.S. Marshal. (HDC-J)hm</p>
11-5	Judgment and Commitment of deft. Gamble, filed and entered. (HDC-J)hm
11-5	Judgment and Commitment of deft. Schubert, filed and entered. (HDC-J)hm
11-5	Two c/c of J&C's of defts. Gamble & Schubert delivered to U.S. Marshal. hm
11-6	<p>Case called for sentence of defts. <u>Broadrick, Mitchell, Spears and Peterson</u>. Case also called for hearing on deft. <u>Broadrick's</u> motion to reduce bond. Defts. each present and represented; govt. represented. Three affidavits in support of deft. Broadrick, filed in open court. Five letters in support of deft. Spears, filed in open court. Defts. each asked if they care to say anything before sentence is pronounced.</p>

(continued)

D. C. 109A

CRIMINAL DOCKET

DATE	PROCEEDINGS
	<p>Judgment and Sentence - THOMAS ELMER BROADDRICK - Age 28 Atty. Gen. - Ct. 1 - Five (5) Years Atty. Gen. - Ct. 2 - Five (5) Years Atty. Gen. - Ct. 3 - Five (5) Years IT IS ADJUDGED that the sent. imposed in Cts. 2&3 shall run concurrently with the sent. imposed in Ct. 1.</p> <p>Judgment and Sentence - JIMMY JOE MITCHELL - Age 37 Atty. Gen. - Ct. 2 - Three (3) Years</p> <p>Judgment and Sentence - ERNIE LEE SPEARS - Age 25 Atty. Gen. - Ct. 1 - Two (2) Years</p> <p>Judgment and Sentence - PAMELA ANN PETERSON - Age 22 Ct. 1 - Imp. of sent. is hereby suspended and deft. placed on probation for a period of Three and one-half (3½) Years from this date. Defts. Broaddrick and Mitchell advised of right to appeal. Defts. Broaddrick & Mitchell each give oral notice of appeal. Defts. Mitchell and Spears remanded to custody of U.S. Marshal. Hearing held on motion of deft. <u>Broaddrick</u> to reduce bond. Deft's witnesses sworn and testify: <u>Thomas Elmer Broaddrick, Ella Broaddrick.</u> Court reduces bond to \$10,000 cash or corporate surety. Condition of bond is that deft. Broaddrick is not to associate or be around any witnesses or their relatives involved in this case. <u>Appeal bond of deft. Mitchell set in the amount of \$5,000 cash or surety.</u> Deft. Broaddrick remanded to custody of U.S. Marshal. (HDC-J)hm</p>
11-6-75	Judgment and commitment of deft. Broaddrick, filed and entered. (HDC-J)hm
11-6	Judgment and commitment of deft. Mitchell, filed and entered. (HDC-J)hm
11-6	Judgment and commitment of deft. Spears, filed and entered. (HDC-J)hm
11-6	Judgment and order of P ^{ro} f deft. Peterson, filed and entered.. (HDC-J)hm
11-6	Two c/c each of J&C's of defts. Broaddrick, Mitchell & Spears delivered to U.S. Marshal. hm
11-6	Two c/c of J&O of prob. delivered to Prob. office. hm
11-6	Bond of deft. <u>Jimmy Joe Mitchell</u> in the amt. of \$5,000 surety, filed. hm
11-6	Order specifying methods and conditions of release, filed. hm
11-7	Bond of deft. <u>Robin Schubert</u> in the amt. of \$5,000 surety, filed. hm
11-7	Order specifying methods and conditions of release, filed. hm
11-10	Order, filed, exonerating bond of Ernie Lee Spears, and directing Clerk to refund the \$5000.00 cash bail to Clara Shaffar and/or Elda Louise Spears. (HDC-J)g <i>copy sent to Lamm</i>
11-12	Notice of appeal, re <u>Robin Dennis Schubert</u> , from J&S of 11/5/75, filed. rm (copy to USCA)
11-12	Designation of record on appeal, re Schubert, filed. rm
11-12	Notice of appeal, re Jimmy Joe Mitchell, from J&S of 11/6/75, filed. rm (copy to USCA)
11-12	Designation of record on appeal, re Mitchell, filed. rm
11-12	Marshal's return on Writ of HC Ad Pros., filed. Executed by taking custody of deft. Broaddrick at Rogers Cty. Jail on 11-6-75 and del. him to Fed. Bldg., Tulsa, Okla. 11-6-75 and returned him to Tulsa Cty Jail 11-6-75 as requested by Rogers Cty. Atty. jj

DATE	PROCEEDINGS
11-14-75	Affidavit, motion and order granting leave to deft. <u>Larry Eugene Gamble</u> to appeal in forma pauperis, filed. (HDC-J)hm
11-14	Pauper's affidavit of def. <u>Broadrick</u> and <u>ORDER</u> granting leave to appeal as a pauper. (HDC-J)rm - copies mailed to <u>Pat Williams</u> and U.S. Atty.
11-14	Notice of appeal by def., <u>Broadrick</u> from J&S of 11/6/75, filed. rm (copy to USCA and counsel)
11-17	Notice of appeal by def., <u>Gamble</u> , from J&S of 11/5/75, filed. rm (copy to USCA)
11-17	Designation of record on appeal, by def. <u>Gamble</u> , filed. rm
11-24	Letter from Dr. Bennett H. Young to Ray R. Wallace, re medical condition, filed. hm (copy to U.S. Atty.)
11-28	Letter from deft. Gamble to Judge Cook re reduction of sentence, filed. hm
11-28	Order overruling motion for reduction of sentence of deft. Gamble, filed. (HDC-J)hm (copies mailed)
11-28	J&C as to <u>Larry Eugene Gamble</u> , ret. & filed: deft. Gamble delivered to Fed. Reformatory, El Reno, Ok. on 11-13-75. g
11-28	J&C as to <u>Ernie Lee Spears</u> , ret. & filed: deft. Spears delivered to USP, Leavenworth, Ks. on 11-17-75. g
12-15	Order, filed, extending time to file and transmit orig. record on appeal to 2/10/76. (HDC-J)rm-copies to counsel and USCA
12-16	Appl. of Pat Williams to withdraw as ct. appt. counsel for def. Broadrick, filed. rm
12-18	Order, filed, appting Kenneth L. Stainer to represent deft. Broadrick. (HDC-J)
12-18	Order, filed, allowing Pat Williams to withdraw as atty for def. Broadrick, (HDC-J)rm-copies mailed
12-18	Order, filed, appting Gordon L. Patten to represent deft. Gamble. (HDC-J)hm
12-30	Pltf's. Mot. to withdraw exhibits, filed. tc (5 vols)
12-30	Letter from Dr. Bennett H. Young to Ray R. Wallace, re medical condition, filed. hm (copy to U.S. Atty.)
1976	
1-6	Order (part of mot.) granting pltf's motion to withdraw exhibits, filed. (HDC-J)g
1-16	Reporter's transcript of all court proceedings, filed. (T.Bloxom-CR)rm(7 vols)
1-22	Return on subpoena to testify: Served Patrick N. Criner on 8-19-75, filed. ph
2-2	Designation of record on appeal in re Deft. Broadrick, filed. ph
2-3-76	Deft. <u>Broadrick's</u> Mtn. to run Fed. Sentence concurrent with state charges CRF 75-76, Rogers Cty, and CRF 75-1973, Tulsa Cty, State of Okla., filed.jj
2-3-76	Deft. <u>Broadrick's</u> Brief in Support of Mtn. to run Fed. Sentence concurrent with state charges CRF 75-76, Rogers Cty., and CRF 75-1973, Tulsa Cty. State of Okla., filed.jj
2-5	Consent to Transfer of Case for Plea and Sentence ^{of deft. wallace} Under Rule 20 to the U.S. Dist. Ct., W.D. of La., fld. Transcript mld. this date. v
2-6	Order overruling motion of Thomas Elmer Broadrick for reduction of sentence, filed. (HDC-J)g
2-10	Appeal record (10 vols) transmitted to USCA.rm
2-11	Receipt of transcript in re Deft. Wallace, rec'd from Louisiana, fld. v
2-27	Order overruling motion for reduction of sentence of deft. <u>Ernie Lee Spears</u> , FILED. (HDC-J)hm (copies mailed)

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

Jimmy Joe Mitchell, Thomas Elmer Broadrick
Larry Eugene Gamble, Robin Dennis Schubert

75-CR-103-C

Yr. | Docket No. | Def.

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
10-7-76	Mandate and opinion of USCA, re Schubert, affirming judg., filed and spread of record. rm				
10-7-76	Mandate and opinion of USCA, re Gamble, affirming judg., filed and spread of record. rm				
10-7-76	Mandate and opinion of USCA, re Broadrick, affirming judg., filed and spread of record. rm				
10-7-76	Mandate and opinion of USCA, re Mitchell, affirming judg., filed and spread of record. rm				
10-7-76	Letter to Mitchell & Schubert to surrend themselves within 10 days from this date in execution of J&S.rm				
10-27-76	J & C, ret & filed: Deft., Robin Dennis Schubert delivered to Seagoville, TX, on 10-22-76, after Mandate issued on 10-7-76. ph				
11-2	Return on execution of Judgment and Commitment, deft. delivered to Leavenworth, Kansas, on 11-1-76, filed. ph				
12-23	Appeal record (10 vols) received from USCA. rm				
1-6-77	Motion for reduction of sentence (Rule 35), re def. Schubert, filed. rm <i>Camp, 10-7</i>				
1-6-77	Motion for reduction of sentence (Rule 35), re def. Broadrick, filed. rm <i>Camp, 10-7</i>				
1-7	Order, filed, overruling motion for reduction of sentence (re Schubert) (HDC-J)rm-copies mailed				
1-7	Order, filed, overruling motion for reduction of sentence (re Broadrick). (HDC-J)rm-copies mailed				
1-10	Pltf's opposition to deft. Broadrick's mot. for reduction of sentence, filed.k				
1-10	Pltf's opposition to deft. Schubert's mot. for reduction of sentence, filed.k				
2-14	Order, filed, that more than 120 days has elapsed since the mandate in regard to the appeal of Jimmy J. Mitchell was received, therefore this Court no longer has jurisdiction to reduce the sentence imposed. (HDC-J) ph cps mld				
11-30	Return on J&C, fld. In re deft. THOMAS ELMER BROADRICK. Executed by delivering deft. to F.C.I., Texarkana, TX, on 11-22-77. v				
10-18-79	REPORT & ORDER terminating Probation on deft. RITA LESLIE GIPSON prior to original expiration date. (HDC-J)b cps mld				
1983 1-31	EXHIBITS returned to pltf counsel. hm				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1989</u> 6-16	MOTION pursuant to 28 USC 2255 to vacate. C/F hc (form ltr to U.S. Atty)				
7-21	MOTION of pltf for prelim inj. pw				
8-1	ORDER entered that the amended R&R entered on 4/27/89 is affirmed; pet WHC is denied; mot/prel inj is denied & request for release on bond is denied(HDC-J)a (orig in 89-C-305-C)a <i>Doc 8/11/89</i>				
8-18	ADDENDUM of petit to applic. pw				
8-18	RENEWED APPLICATION & MEMO of petit for interim relief. pw				
8-22	APPLICATION Of deft to set hrg on applic/Prel inj. pw (02J)				
8-28	ORDER denying movt's Thomas Elmer Broadrick appl. for interim relief & appl. for movt for bond pending appeal. ag (HDC-J) c/m				
8-29	NOTICE of appeal of deft from order of 8/28/89, fees pd, no dknng stmnt, processed & mld on 8/30/89.a				
9-11	SPECIAL BAIL RECORD due ASAP.a (called 10th on 9/14 & they said to w/hold sending the record until further ntc from them.)a				
9-11	DESIGNATION of special bail record.a				
11-6	ORDER from 10th, deft released pending determination in case 89-5138 & upon such condition as the USDC finds appropriate, cpy to HDC.a				
11-7	ORDER from Suprm Ct, in re releasing deft pending determination of 89-5138, in all other respects applic is denied.a cpy to HDC				
12-7	ORDER that Marshall allow Dr. Thomas Goodman access to deft for evaluat & trmnt in private. (JLW-MAG) c/m pw				
<u>1990</u> 2-21	ORDER from 10th, dismissing appeal, cpy to HDC.a <i>(Reissued 2-23-90)</i>				
3-5	ORDER & JUDGMENT from 10th, Dist Ct's judgment is vacated & remanded w/instructions to grant WHC, cpy to HDC.a <i>(granted in civil case)</i>				